



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,347	11/25/2003	Osamu Azami	04995/129001	4741

7590 07/24/2007
Jonathan P. Osha
Rosenthal & Osha L.L.P.
Suite 2800
1221 McKinney St.
Houston, TX 77010

EXAMINER

RUDOLPH, VINCENT M

ART UNIT	PAPER NUMBER
----------	--------------

2625

MAIL DATE	DELIVERY MODE
-----------	---------------

07/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/722,347

Applicant(s)

AZAMI, OSAMU

Examiner

Vincent M. Rudolph

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Kataoka ('165).

Regarding claim 1, Kataoka ('165) discloses a digital multiple function processing machine (See Figure 1) that includes an image data supply unit (scanner, See Figure 1, Element 15), an operation unit (control panel, See Figure 1, Element 13), and a printer (See Figure 1, Element 16) such that the image data supply unit can execute image data transmission image data transmission processing by generating and transmitting image data on an original set (the scanner scans images on a document for transmission, See Col. 3, Line 43-46), the operation unit enables a user to perform interrupt copy start command operation so that whenever it is performed, it transmits the interrupt copy start command information (user presses the interrupt key to start the

process, See Col. 4, Line 62-66), and the printer can be connected to a computer (through the PC interface, See Figure 1) having a function of transmitting print job data (See Col. 3, Line 10-12). The printer includes a print execution means (the device performs the function, thus it becomes the means) for forming an image on paper based on print data in a predetermined format (See Col. 3, Line 46-49), print data storage means for receiving print job data representing printed matter of several pages from the connected computer (the image memory stores data supplied from the computer, See Col. 4, Line 10-12), print job data processing means for generating the print data concerning the printer printed matter for each page and storing the print data in the print data storage means (receiving the print data from the computer, See Col. 3, Line 57-59, and storing it in the image memory, See Col. 4, Line 10-11), and copy control means capable of executing copy control processing of causing the image data supply unit to start the image data transmission processing (operation unit is used to performs setting and instruct the jobs, See Col. 3, Line 26-31), storing the print data responsive to the image data transmitted as a result of the transmission processing (See Col. 4, Line 10-14), and causing the print execution means to print based on the print data (See Col. 3, Line 46-49). If the interrupt copy start command information is received while the print job data processing means operates, the copy control means causes the print job data processing means to interrupt the processing being executed and, as a result, starts processing of waiting for an available storage area of a capacity required for executing the copy control processing to be formed in the data storage means so that whenever available storage area is formed, the print data being generated is interrupted and the

copy control processing starts (whenever the copy interrupt key is pressed, the image memory can have sufficient amount to store the incoming data in order to prevent overflowing of the memory, See Col. 6, Line 3-29).

Regarding claim 2, Kataoka ('165) discloses that the user is enabled to perform a print interrupt command as well as a copy start command operation as the interrupt copy start command operation (user is able to select the type of interrupt to perform, See Col. 3, Line 2-5) so that whenever the user performs the print interrupt command operation, transmits print interrupt command information as the element information (See Col. 6, Line 34-42) and whenever the user performs the copy start command operation, transmits copy start command information as the element information (See Col. 4, Line 62-67). Whenever the print interrupt command information is received while the print job data processing means operates, the copy control means of the printer causes the print job data processing means to interrupt the processing being executed whenever the copy start command information is received after the print interrupt command information is received and, as a result, starts processing of waiting for an available storage area of a capacity required for executing the copy control processing to be formed in the data storage means so that whenever available storage area is formed, the print data being generated is interrupted and the copy control processing starts (if the copy interrupt key is pressed during printing, See Figure 2; Col. 5, Line 61-64, the process is interrupted and copying takes place, See Col. 6, Line 7-9, with the image memory having sufficient storage for the incoming data, See Col. 6, Line 27-29).

Regarding claim 3, Kataoka ('165) discloses a user is enabled to set a copy condition and transmit the information containing the copy condition information as the interrupt copy start command information (user is able to set various settings during the interruption, See Col. 3, Line 2-6) and the copy control means calculates the capacity of the available storage area required for executing the copy control processing based on the copy condition information included within the interrupt start command information (See Col. 5, Line 34-36).

Regarding claims 4-6, the rationale provided in the rejection of claims 1-3 is incorporated herein. In addition, the digital multiple function processing machine of claims 1-3 corresponds to the printer of claims 4-6 and performs the steps disclosed herein.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Beaudet ('795) and Nishiyama ('465).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

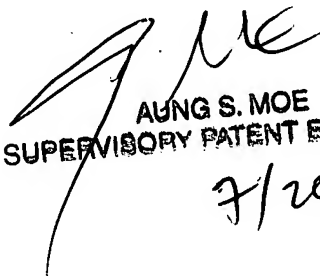
Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/20/07

VMR

Vincent M. Rudolph
Examiner
Art Unit 2625


AUNG S. MOE
SUPERVISORY PATENT EXAMINER
7/20/07